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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,764	02/25/2002	Pia C. Licciardi	4364-4000	7512

7590 04/06/2004

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345 Park Avenue  
New York, NY 10154-0053

EXAMINER
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BALSIS, SHAY L

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 04/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/083,764

Applicant(s)

LICCIARDI, PIA C.

Examiner

Shay L Balsis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 11-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 11-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the side surface of the mop head extending beyond the side surface of the support member, as claimed in claims 5 and 14, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

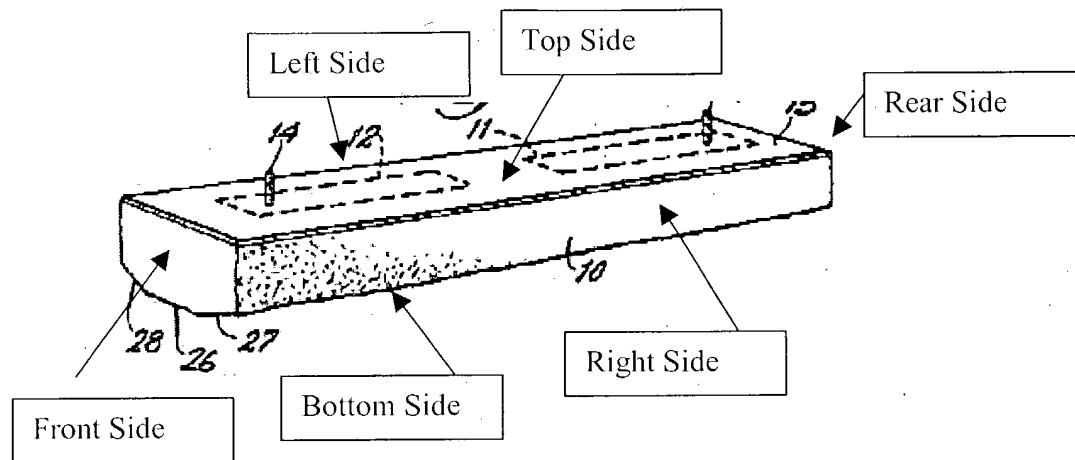
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 11-14, 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Rebernak (USPN 3038188).

Rebernak teaches a mop head comprising a top surface, a bottom surface and two side surfaces (see figure below). The top surface adjoins the right and left side surfaces at an edge. The edge extends from the front surface to the rear surface. The side surfaces have a sculpted cutout (27, 28, figure 2) that will correspond to the shape of quarter round molding when placed in contact. A support member (16) is attached to the top surface of the mop head and a handle

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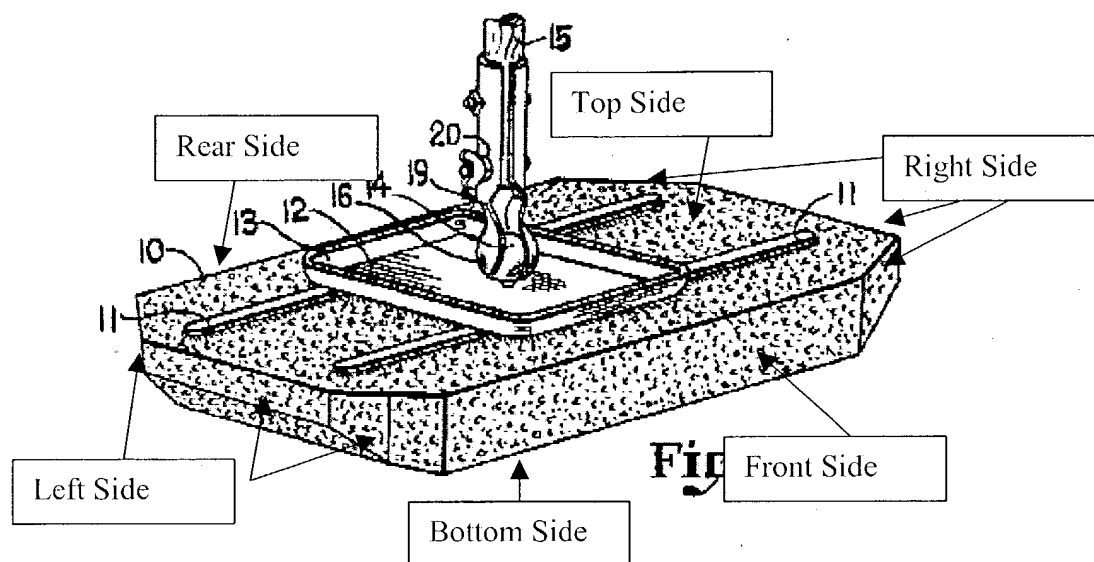
(20) is attached to the support member. The side surfaces of the mop head extend beyond the side surfaces of the support member (figure 1).



Claims 1-5, 11-14, 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Wheeler (USPN 3214779).

Wheeler teaches an octagonal mop head comprising a top surface, a bottom surface and two side surfaces (see figure below). The top surface adjoins the right and left side surfaces at an edge. The edge extends from the front surface to the rear surface. The side surfaces have a sculpted cutout (col. 2, lines 18-21 and figures 1 and 2) that will correspond to the shape of a quarter round molding when placed in contact. A support member (12) is attached to the top surface of the mop head and a handle (15) is attached to the support member. The side surfaces of the mop head extend beyond the side surfaces of the support member (figure 1).

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***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15-16 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Rebernak (USPN 3038188).

Rebernak teaches all the essential elements of the claimed invention however is silent as to cleaning the flooring and molding at the same time. It would have been obvious to one of ordinary skill in the art at the time the invention was made to clean both the floor and the molding with Rebernak's invention since there is a cutout in the side surfaces that would allow for cleaning of the molding while cleaning the floor. Additionally, claim 15 recites that the floor and molding are cleaned together as intended use only, however makes no mention of how the

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floor and molding are cleaned together. Claim 16, only states that the floor and molding are cleaned together at the same time however, the claim fails to state how they are cleaned together are the same time. Therefore, the cutout of Rebernak does not need to be in contact with the molding but only a side surface needs to be in contact with the molding to allow the floor and molding to be cleaned together, since the claims fail to teach that the cutout area cleans the molding while the bottom surface cleans the floor.

Claims 15-16 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Wheeler (USPN 3214779).

Wheeler teaches all the essential elements of the claimed invention however the reference is silent as to cleaning the use many uses of the mop. Wheeler teaches the cleaning device has cutouts to all for cleaning any contour. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the mop to clean both flooring and molding with Wheeler's invention since there is a cutouts in the side surfaces that would allow for cleaning of the molding while cleaning the floor. Additionally, claim 15 recites that the floor and molding are cleaned together as intended use only, however makes no mention of how the floor and molding are cleaned together. Claim 16, only states that the floor and molding are cleaned together at the same time however, the claim fails to state how they are cleaned together at the same time. Therefore, the cutout of Wheeler does not need to be in contact with the molding but only a side surface needs to be in contact with the molding to allow the floor and molding to be cleaned together, since the claims fail to teach that the cutout area cleans the molding while the bottom surface cleans the floor.

***Applicant's Remarks***

- a. Thomas teaches an indentation that touches the top surface of the mop head and also the indentation does not have a uniform cross section from front to rear.
- b. Rebernak's indentations are along the front and back surfaces.
- c. Wheeler's indentations comprise cutting corners off the mop head and therefore the indentation touches the top surface and does not have a uniform cross section.
- d. Cormier is a snow rake and there are indentations in the top surface.

***Response to Arguments***

Applicant's arguments regarding Thomas and Cormier have been fully considered and are persuasive. Thomas does not teach an indentation that has a uniform cross section from the front to the rear. Additionally, Cormier does not teach an indentation only on the bottom and side surfaces. Therefore, these rejections have been withdrawn.

Applicant's arguments with respect to Rebernak and Wheeler have been fully considered but they are not persuasive. Rebernak teaches all the elements of the claimed invention. It can be interpreted that the indentations on Rebernak's invention are on the side surfaces. Applicant has not explicitly disclosed the difference between the front/rear sides and the left/right sides.

As for Wheeler, the mop is an octagon shape and therefore each side surfaces actually comprises three sides. The corners that are cut off are not part of the indentation but part of the actual shape of the mop head. The indentations occur only on the side surfaces and the bottom surface. This being the case, it is clear from figure 1 that the indentations do have a uniform cross section.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shay L Balsis whose telephone number is 571-272-1268. The examiner can normally be reached on 7:30-5:00 M-Th, alternating F.

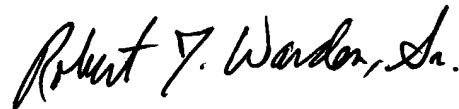
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on 571-272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Slb  
4/1/04



ROBERT J. WARDEN, SR.  
SUPERVISORY PATENT EXAMINER  
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